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10/083,356	02/27/2002	Masahiro Kageyama	H-1037	9182
7590	07/24/2006		EXAMINER	
Mattingly, Stanger & Malur, P.C. Suite 370 1800 Diagonal Road Alexandria, VA 22314			JOO, JOSHUA	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/083,356	KAGEYAMA ET AL.
	Examiner	Art Unit
	Joshua Joo	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 June 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                         |                                                                             |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.                                               |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|                                                                                                                         | 6) <input type="checkbox"/> Other: _____.                                   |

***Response to Amendment filed 6/06/2006***

1. Claims 1-15 are presented for examination.

***Response to Arguments***

2. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following claim(s) lack sufficient antecedent basis:

- i) Regarding claim 2, "the server".
- ii) Regarding claim 4, "messages". The claim states the limitation, "receiving the identification and object information and the message...". It is unclear as to how "messages" are displayed when the message is received.
- iii) Regarding claim 4, "the server device".

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 9, 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan et al, US Publication #2002/0059184 (Ilan hereinafter), in view of Abrahams, US Publication #2002/0120934 (Abrahams hereinafter).

7. As per claims 1 and 9, Ilan teaches substantially the invention as claimed including an information exchange method and terminal device, Ilan's teachings comprising the steps of:

obtaining a content of interest rendered by media using first and second terminal devices for information exchange connected to a computer network (Paragraph 0024. Users access web pages.);

displaying an image regarding the content on the first and second terminal devices (Paragraph 0024. Users accesses web pages.);

sending an information to identify the displayed image from first and second terminal devices to a server device connected to the computer network, respectively, across the computer network (Paragraph 0023; 0027. Server receives URL, which may point to a data object.); and

allowing communication messages between the first terminal and the second terminal based on the received information by the server device (Paragraph 0031; 0036. Server compares data objects and keywords, and initiates communication between the first user and second user.).

9. Ilan teaches substantial features of the claimed invention including data objects from other data resources besides a web page (Paragraph 0027). However, Ilan does not teach of displaying image that is a video image, sending an identification information to identify the

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displayed video image and an object information including information relevant to position or time of an object indicated from the displayed video image.

9. Abrahams teaches a system for searching and matching objects of a video image, wherein information for matching includes identification information, e.g. program name, and object information relevant to the position, e.g. coordinates, and time, e.g. time stamp (Paragraph 0046-0048; 0062).

10. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan and Abrahams because the teachings of Abrahams of above paragraph 9 would improve the system of Ilan by providing additional parameters, including images and videos viewed by users on the user computer, for matching users, thereby expanding the interests that may be used for matching.

11. As per claim 2, Ilan teaches the information exchange method as recited in claim 1 wherein:

the first terminal device displays the image regarding the content of interest rendered by media and sends first information to the server device, the first information including first identification to identify the displayed image on the first terminal device (Paragraph 0027. Server receives data string. Paragraph 0023. Data string is a pointer to a data object. Paragraph 0031. Access web page.);

the second terminal device displays the image regarding the content of interest rendered by media and sends second information to the server device, the second information including second identification information to identify the displayed image on the second terminal (Paragraph 0022. One or more users sharing interest in the same subject area. Paragraph

0027. Server receives data string. Paragraph 0023. Data string is a pointer to a data object.

Paragraph 0031. Access web page.);

the server device makes up a group of the first and second terminal devices, according to a grouping process using the first and second information sent from the first and second terminal devices (Paragraph 0029; 0036. Server initiates communication between the first user and the second user based on the received information.);

the first terminal device sends a first message to the server (Paragraph 0029. Server provides a communication channel between first and second user. Communication channel allows users to communicate.);

the server device sends the first message to one or more terminal devices belonging to the group including the second terminal device (Paragraph 0029. Server provides a communication channel between the first and second user); and

the second terminal device receives and outputs the message (Paragraph 0029. Server provides a communication channel between the first and second user).

12. Ilan does not teach the first terminal device displaying the video image regarding the content of interest rendered by media and sends first information to the server device, the first information including first identification to identify the displayed video image on the first terminal device, and a first object information to define a part or all of an object indicated from the displayed video image on the first terminal; and the second terminal device displays the video image regarding the content of interest rendered by media and sends second information to the server device, the second information including second identification information to identify the displayed video image on the second terminal device, and second object information to define a part or all of an object indicated from the displayed video image on the second terminal.

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13. Abrahams teaches of a user displaying a video image regarding the content of interest rendered by media and sending information including identification to identify the displayed video image on the terminal device, and an object information to define a part or all of an object indicated from the displayed video image on the terminal, for the purpose of searching and matching the object (Paragraph 0046-0048; 0062).

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan and Abrahams for matching and groupings users based on the teachings of Paragraph 13 because Abrahams' teachings would further improve the system of Ilan and Abrahams by providing matching and messaging based on additional parameters, wherein users may discuss objects shown on video programs.

15. As per claim 12, Ilan and Abrahams taught the information exchange method according to claim 1 for transmitting identification and object information. Ilan further teaches wherein the server device allows communication of messages between the first terminal device and the second terminal device based on consistency between information from the first terminal device and information from the second terminal device (Paragraph 0036. Server initiates communication between the users if a similarity or identify is detected between the data strings.).

16. As per claim 13, Ilan teaches the information exchange method according to claim 12, wherein the communication messages between the first terminal device and the second terminal device includes chat using the computer network (Paragraph 0029. Users communicate with each other. Paragraph 0002-0003. Chat.).

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17. As per claim 14, Ilan does not teach the information exchange method according to claim 12, wherein the displayed video image regarding the content is a television video image.
18. Abrahams teaches the method wherein the displayed video image regarding the content is a television video image (Paragraph 0046).
19. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan and Abraham because the teachings of Abraham for the displayed video image regarding the content to be a television video image would improve the system of Ilan and Abrahams by allowing users to identify objects on a television program to receive additional information.
20. As per claim 15, Ilan does not teach the information exchange method according to claim 1, wherein the object information includes area information indicated from the displayed video image by using a pointing device.
21. Abrahams teaches the method wherein the object information includes area information indicated from the displayed video image by using a pointing device (Paragraph 0012; 0046-0047).
22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan and Abrahams because the teachings of Abrahams to use a point device to indicate from the displayed video object information including area information would further improve the system of Ilan and Abrahams by providing a convenient method for identifying objects of interest for the user.

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23. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan and Abrahams, in view of Inala et al, US Publication #2003/0014489 (Inala hereinafter).

24. As per claim 3, Ilan and Abraham teaches the information exchange method as recited in claim 2 wherein:

the grouping process comprises one of or a combination of a plurality of the following:

grouping terminal devices for information exchange for which matching to a certain extent occurs regarding the first and second information received therefrom (Paragraph 0028; 0031; 0036. Match users based on received information.);

grouping terminal devices for information exchange for which matching to a certain extent occurs regarding the first and second identification information and the first and second object information received therefrom (Paragraph 0023;0026. Server initiates communication between users based on received information.);

grouping terminal devices for information exchange for which matching occurs in one of or a plurality of items of information designating appointed identifiers of terminal devices for information exchange, geographical area, interests, content titles, and community, respectively (Paragraph 0022. User communicates based on interests.).

25. Ilan does not teach of grouping terminal devices for information exchange by limiting the number of terminal devices to form a group to a given number.

26. Inala teaches of setting a predetermined maximum number of clients that may define a full chat room (Paragraph 0079).

27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Abrahams, and Inala because both the teachings of Ilan

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and Inala are similar in that users communicate with each other based on commonly visited web sites, while Abrahams provides additional matching parameters. Furthermore, the teachings of Inala to limit the number of users to form a group would improve the system of Ilan and Abrahams by providing administrative control of the groups, and preventing overcrowding and lagging of the chat groups.

28. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan and Abrahams, in view of Wang et al, US Patent #6,058,428 (Wang hereinafter).

29. As per claim 10, Ilan does not teach the terminal device for information exchange as recited in claim 9, further comprising: a storing unit which stores the content of interest; and a thumbnail generator which generates and displays a thumbnail image from the identification information, the object information, and the stored content of interest on the display unit.

30. Wang teaches the concept of storing images; and generating and displaying the thumbnail images (Col 5, lines 1-10).

31. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Abrahams, and Wang because the teachings of Wang to store images and generate thumbnails of the images would improve the system of Ilan and Abrahams by providing efficient viewing and sharing of images as thumbnail images are smaller in file size, thus requiring less time for transmission and loading. Furthermore, Abrahams taught of identifying identification information and object information. Therefore, it would have been obvious to one of ordinary skill to use the identification and objection to generate a thumbnail that is relevant to the content of interest.

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32. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan and Abrahams, in view of Yoneda, US Patent #6,002,832 (Yoneda hereinafter).

33. As per claim 11, Ilan does not teach of a terminal device for information exchange as recited in claim 9 further comprising a time shifting unit which records and reproduces the content of interest.

34. Yoneda teaches of recording and reproducing data, where time shifting is used to record and reproduce videos (Col 7, lines 29-36; Col 8, lines 10-24).

35. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan Abrahams, and Yoneda because the teachings of Yoneda to use time shifting to record and reproduce videos would improve the capability of the system of Ilan and Abrahams by allowing users to share and view videos.

36. Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ilan, in view of Abrahams and Emens et al, US Patent #6,745,178 (Emens hereinafter).

37. As per claim 4, Ilan teaches substantially the invention as claimed including an information exchange method, Ilan's teachings comprising the steps of:

obtaining a content of interest rendered by media using a first terminal device for information exchange connected to a computer network (Paragraph 0023-0024. Access web page.);

displaying an image regarding the content on the first terminal device (Paragraph 0023-0024. Access a web page. Pointer to data object.);

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sending an identification information to identify the displayed image, and a message from the first terminal device to an information exchange server device across a computer network (Paragraph 0023; 0028; 0031. Server receives data string, which is a pointer to data objects. Paragraph 0029. User communicates with other users, where server provides communication channel);

making up a group of two or more terminal devices including at least the first terminal device and a second terminal device by the server device (Paragraph 0022; 0029; 0036. Server initiates communication with users with similar interests.);

sending the message received by the server device to the second terminal device belonging to the group across the computer network (Paragraph 0029. User communicates with other users through the server.);

receiving the message from the server device by the second terminal device (Paragraph 0029. User communicates with other users through the server.); and

displaying the message on the second terminal device based on the received message (Paragraph 0029. User communicates with other users through the server.).

38. Ilan teaches substantial features of the claimed invention. However, Ilan does not teach of displaying an image that is a video image, sending an identification information to identify the displayed video image on the first terminal device, an object information including information relevant to position or time of an object indicated from the displayed video image on the first terminal device to an information exchange server device; sending the identification information and the object information received by the server device to the second terminal device belonging to the group across the computer network; and receiving the identification and object information from the server device by the second terminal device.

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39. Abrahams teaches a system for searching and matching objects of a video image, wherein information for matching including identification information, e.g. program name, and object information relevant to the position, e.g. coordinates, and time, e.g. time stamp, is sent to a server (Paragraph 0046-0048; 0062).

40. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan and Abrahams because the teachings of Abrahams of above paragraph 39 would improve the system of Ilan by providing additional parameters, including images and videos viewed by users on the user computer, for matching users, thereby expanding the interests that may be used for matching.

41. Emens teaches of identifying users with similar interests, where users may exchange information (Col 8, lines 60-63.)

42. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Abrahams, and Emens because the teachings of Emens to exchange information with other users would improve the system of Ilan and Abrahams by allowing users to exchange additional information regarding topics of similar interests, and providing exchange of information that have been identified.

43. As per claim 5, Ilan does not teach an information exchange method as recited in claim 4, wherein said server device makes up a group of terminals devices for information exchange having a group identifier registered beforehand.

44. Emens teaches of having a group identifier registered beforehand, where a user may join a preexisting chat groups (Fig. 6B; Col 8, lines 30-36).

45. It would have been obvious to one of ordinary skill in the art the time the invention was made to combine the teachings of Ilan, Abrahams, and Emens because the teachings of Emens to having a group identifier registered beforehand would improve the system of Ilan and Abrahams by providing default groups, and allowing users to join existing chat groups.

46. As per claim 6, Ilan teaches of a server initiating communication between users with similar interests. However, Ilan does not teach the information exchange method as recited in claim 4 wherein said information exchange server equipment makes up a group of terminal devices for information exchange in such a way in which:

the server device makes a list of one or more groups that have been made up and related group information and sends the group list to the first terminal device;

the first terminal device receives and outputs the group list, selects the group information for one group from the group list, then sends the selected group information to the server device across the computer network; and

the server device sets the first terminal device to join the group appointed by the selected group information.

47. Emens teaches of a provider making a list of one or more groups that have been made up and related information (Col 6, lines 59-67; Col 7, lines 50-59); sending the group list to the first terminal device for information exchange across the computer network (Col 8, lines 32-33. User receives a list of chat groups; the first terminal device for receiving and outputting the group list, selecting the group information for one group from the group list, and sending the selected group information to the server device across the computer network (Col 8, lines 31-37. User selects a group to join.); and the server equipment sets the first terminal device to join the group

appointed by the selected group information (Col 8, lines 38-39. User is placed in the selected chat room.).

48. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Abrahams, and Emens because the teachings of Emens to perform the above functions of Paragraph 47 would improve the system of Ilan and Abrahams because while Ilan merely teaches of initiating communication with users, Emens teachings would provide the user with the option of joining a desired chat group from a plurality of chat groups that have similar interests with the user.

49. As per claim 7, Ilan does not teach the information exchange method as recited in claim 6 wherein the group information includes the identification information and the object information.

50. Emens teaches of group information that contain identification information (Fig. 6B; Col 8, lines 31-35).

51. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ilan, Abrahams, and Emens because the teachings of Emens for the group information to contain identification information would improve the system of Ilan, Abrahams, and Emens by allowing the user to select a chat session that is most relevant to the user's interest.

52. As per claim 8, Ilan, Abrahams, and Emens taught the information exchange method as recited in claim 4. Ilan further teaches the method wherein said message comprises one or a combination of a plurality of following items: character strings of text and keywords, audio

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information, video information, advertising information, time information, thumbnail images, and pointer information (Paragraph 0023. Data strings such as URLs. Paragraph 0036. Communication.).

***Conclusion***

53. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

54. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

55. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Friday 7 to 4.

56. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on 571 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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57. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 10, 2006

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